

10-11-01

RECEIPT

Please type a plus sign (+) inside this box → ☐ +

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/844,483
	Filing Date	04/27/2001
	First Named Inventor	Shah
	Group Art Unit	2121
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	Attorney Docket Number	68110328.712

RECEIVED
OCT 23 2001
Group 2100

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply Second Preliminary	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Reply to Response to Request Corrected Filing Receipt; Postcard Acknowledgement
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Brian C. McCormack BAKER & McKENZIE
Signature	<i>Brian C. McCormack</i>
Date	10/10/2001

CERTIFICATE OF MAILING		FI 698812753US
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 10/10/2001		
Typed or printed name	Christi Pingleton	
Signature	<i>Christi Pingleton</i>	Date 10/10/2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Shah et al

Serial No.: 09/844,483

Filed: April 27, 2001

For: Non-additive Measures and Metric
Calculation

§
§
§
§
§
§
§
§

Group Art No.: 2121

Examiner: Not Yet Assigned

Atty. Docket No.: 68110328.712

RECEIVED
OCT 23 2001
Group 2100

**REPLY TO RESPONSE TO REQUEST
CORRECTED FILING RECEIPT**

EXPRESS MAIL MAILING LABEL NO.: EL698812753US

DATE OF DEPOSIT: 10-10-01

I, Christi Pingleton, hereby certify that this correspondence is being deposited on the date shown above with sufficient postage with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Christi Pingleton

Signature

10-10-01

Date

Commissioner of Patents
Washington, D.C. 20231
Attn: Initial Patent Examination Division

Dear Sir:

In reply to the Response to Request Corrected Filing Receipt mailed August 30, 2001, claiming lack of continuity under 35 USC 120, Applicants respectfully state as follows:

1. In the Request for Corrected Filing Receipt filed August 21, 2001, Applicants confirmed their priority claim to U.S. Provisional Patent Application 60/199,975 filed April 27, 2000 and U.S. Utility Patent Application No. 09/837,114 filed

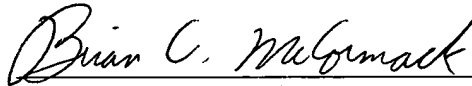
April 17, 2001.

2. In the Request, Applicants inadvertently failed to state the continuity of the applications.
3. Applicants have concurrently filed herewith a Second Preliminary Amendment reflecting the continuity of the applications.
4. Applicants respectfully request the Filing Receipt be amended as follows:

"This Appln Claims Benefit of 60/199,975 04/27/2000 and 09/837,114 04/17/2001 and is a continuation-in-part application of 09/837,114 filed April 17, 2001."

A copy of the Response to Request Corrected Filing Receipt is enclosed. Applicants believe that no fees are required in connection with this filing. However, to the extent that fees are required, the Commissioner is authorized to charge those fees, or credit any overpayment, to Account No. 13-0480, Attorney Docket No. 68110328.712.

Respectfully submitted,



Brian C. McCormack
Reg. No. 36,601

ATTORNEY FOR APPLICANTS

Date: October 10, 2001
BAKER & MCKENZIE
2001 Ross Avenue, Suite 2300
Dallas, TX 75201
214/978-3000
214/978-3099 fax



UNITED STATES PATENT AND TRADEMARK OFFICE

OCT 10 2001

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/844,483	04/27/2001	Arun Shah	68110328.712

CONFIRMATION NO. 9127



OC00000006497854

Brian C. McCormack
Baker & McKenzie
2001 Ross Avenue, Suite 2300
Dallas, TX 75201

RECEIVED
OCT 23 2001
Group 2100

Date Mailed: 08/30/2001

RESPONSE TO REQUEST CORRECTED FILING RECEIPT

Claims, Fees, Inventors and Continuity

In response to your request for a corrected Filing Receipt, the Office is unable to comply with your request because:

- ☐ The total number of claims appearing on the Filing Receipt does not include multiple dependent claims. The total fee appearing on the Filing Receipt includes the cost of multiple dependent claims that were present at the time the application was filed.
- ☐ The filing fee is correct. It includes the surcharge under 37 CFR 1.16(e) for filing an oath/declaration or basic filing fee after the application filing date.
- ☐ The inventor information may be truncated if the family name consists of more than 50 characters (letters and spaces combined) and if the given name consists of more than 50 characters (letters and spaces combined). The inventor's residence allows for up to 40 characters (letters and spaces combined).
- ☐ The docket number allows a maximum of 25 characters.
- ☒ Continuity claimed under 35 USC 120 cannot be added to the Filing Receipt without supplying the relationship (i.e. continuation, divisional...).
- ☐ Foreign priority will appear on the Filing Receipt in the following order:
Country, Application number, Filing date.
- ☐ The person signing on behalf of the deceased inventor will be reflected on your Filing Receipt as the legal representative.
- ☐ The enclosed Filing Receipt was returned to the Office as undeliverable. We are sending a second filing receipt to the address given.



Only one character per space is allowed. Therefore, punctuation which is usually placed above or below a letter, such as an umlaut (..), cannot be included on the Filing Receipt.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231

A copy of this notice MUST be returned with the reply.

R.B.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE